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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUZANNE SAVOIE

Defendant.

06-60080-AA
Case No. CR-~~06-60011-AA~~

DEFENDANT'S SENTENCING
MEMORANDUM

INTRODUCTION

Ms. Savoie is 29 years old and has no prior criminal history. She became involved in animal and environmental activism during her junior year in college and still considers herself as committed to animal rights and in trying to prevent the destruction of the planet through environmental degradation. Ms. Savoie acted as a look-out in the Superior Lumber Company arson and helped write the communique. She also participated in the Jefferson Poplar arson by researching the site prior to the arson and acting as a lookout and driver. After her involvement in the Jefferson Poplar arson Ms. Savoie began to distance herself from the conspirators because of her misgivings about the tactics and methods used by the group.

DEFENDANT'S SENTENCING MEMORANDUM

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In 2001 Ms. Savoie made a commitment to use only legal methods in her attempts to work for a sustainable future for all the inhabitants of this planet. Ms. Savoie moved to rural Southern Oregon to live a simple, sustainable life and found work caring for developmentally disabled adults. Ms. Savoie had put her past life behind her until contacted by authorities in December of 2005. Ms. Savoie appeared voluntarily on the pending charges and has been on pre-trial release without any violations since the inception of the case.

Ms. Savoie voluntarily revealed her role in the offense and clarified the roles and identities of others in the conspiracy. As a result she has been branded a “rat” and a “snitch” in online postings and articles in environmental activist publications. In A Green Anarchy posting of December 7, 2006, it states that “on November 9, 2006, Daniel McGowan, Joyanna Zacher, Nathan Block and Jonathan Paul appeared in Federal Court to enter guilty pleas....Maintaining their integrity and commitment to revolutionary struggle, they did not agree to provide information or testify against anyone now or in the future. Daniel McGowan’s plea agreement, which is apparently similarly to the other three, has been posted online at his support website.” Later in the same article it indicates that Ms. Savoie and others “... plead guilty this past summer to related charges in Oregon and Washington. All eight of this individuals agreed to become snitches and cooperate with the prosecution and implicate others in exchange for reduced sentences. The lawyers for these defendant’s have asked that the details of their plea agreements remain sealed in the interests of protecting their client’s safety, but we hope for them to be opened so that we can discovery the depths of their treachery and who else may be involved. We obviously loathe these individuals’ actions and do not support them in any way. It should be noted that while the snitches sentences vary, on average, they look to serve as much, if not more, time than those who maintained their composure. Another lesson to remember.”

In another posting by the Rogue Independent News on May 21, 2007 the writer commented on Ms. Savoie’s and her husband, Luke Ruediger’s, attendance at an environmental fund raising event. “Recently at a KS Wild Fundraiser in the Applegate, two people where in attendance of dubious character. The two persons, Suzanne “India” Savoie and Luke Rudigger

Luke Rudigger (sic), are widely known Federal Informants who have more than compromised their solidarity with former comrades Jonathan Paul and Daniel McGowan, as well as the others in the region's activist community, which has led to these persons current trials where they are facing, along with others, "terrorism enhancement" charges which would severely increase their sentences. This much is indisputable."

Ms. Savoie plead guilty and agreed to cooperate with the government not solely because she wanted a reduced sentence, but also out of her belief that other co-defendants who had been her friends needed to also accept responsibility before they ended up with 30 year mandatory minimum sentences or life in prison.

Ms. Gerlach credited Ms. Savoie with convincing her to accept responsibility and Ms. Gerlach was then instrumental in convincing the remaining defendants to accept responsibility.

TERRORISM ENHANCEMENT

The Court has previously ruled that one of the two arsons that Ms. Savoie was involved in, the Superior Lumber fire in Glendale, Oregon, does not qualify for the enhanced sentence procedures contained in U.S.S.G. § 3A1.4 because it was a privately owned business and there was no clear and convincing proof that the defendants' actions or affect the conduct of government or retaliate against government conduct. However, the Court has held in Mr. Meyerhoff and Ms. Gerlach's cases that the other arson that Ms. Savoie was involved in, the Jefferson Poplar fire, did qualify as to those two defendants.

Ms. Savoie objects to the so-called terrorism enhancement being applied to her conviction resulting from the fire at Jefferson Poplar because she did not author the communique and because there is no convincing proof she intended to influence or retaliate against the government in any way. Rather, Ms. Savoie mistakenly believed that the private corporation was threatening bio-diversity by creating genetically engineered trees and her actions were directed against the private corporation, not the government. Ms. Savoie did not author the communique sent afterwards and there is no other clear and convincing evidence that her actions were in anyway directed at government.

SENTENCING RECOMMENDATION

In considering the factors enumerated in 18 U.S.C. 3553 (a) the court should in addition to considering the obviously serious nature of the offense, also consider that Ms. Savoie's history and characteristics. Ms. Savoie has no other criminal history and voluntarily removed herself from all illegal activities since 2001.

Ms. Savoie acknowledges that the seriousness of the offense and understands the necessity to impose just punishment and promote respect for the law. However, those goals can still be accomplished by giving Ms. Savoie less than the 63 month sentence requested by the government. She has made a commitment not to engage in illegal activity of any kind and to work to make a positive contribution to society.

A sentence of 30 months is adequate to deter criminal conduct in Ms. Savoie and others, provide a just punishment for her minor role in the offense, deter Ms. Savoie and others from further criminal conduct and to protect the public from further crimes committed by Suzanne Savoie.

CONCLUSION

It is the Defendant's position that the government lacks clear and convincing evidence that Ms. Savoie's actions with respect to the Jefferson Poplar Farm arson were directed at government in any way and that the "terrorism enhancement" does not apply. Therefore, pursuant to U.S.S.G. § 2K1.4(a)(4) the base level offense for both arson counts should be 6 with a 13 level enhancement pursuant to U.S.S.G. 2B1.3(b)(1) and a 2 level enhancement for more than minimal planning for an offense level of 21 prior to a two level reduction for minor role for a final base level of 19 with no criminal history points resulting in an advisory sentencing guideline range of 19-1 or 30-37 months.

DATED: May 29, 2007.

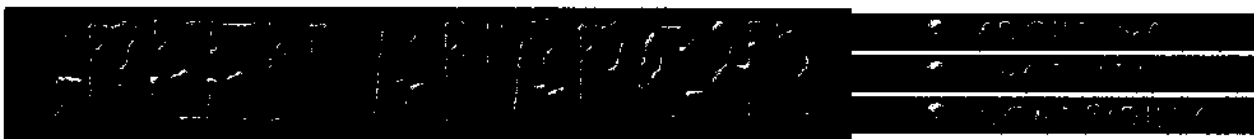
Respectfully Submitted,


John J. Kolego, OSB# 85057
Attorney for Suzanne Savoie

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Operation Backfire: Still Smoldering

Dec 7, 2006 — Eugene, Oregon, United States

Hearing Dates (2007 Eugene, OR):

- May 15 - Oral arguments for Terrorism Enhancement
- May 22 - Cooperating Defendant Stanislas Meyerhoff's sentencing. 9 am
- May 24 - Cooperating Defendant Kevin Tubbs's sentencing. 9 am
- May 25 - Cooperating Defendant Chelsea Gerlach's sentencing. 9 am
- May 29 - Cooperating Defendant Darren Thurston's sentencing. 9 am
- May 31 - Cooperating Defendant **Suzanne Savoie's** sentencing. 9 am
- May 31 - Cooperating Defendant Kendall Tankersley's sentencing. 1 pm
- June 1 - Joyanna Zacher and Nathan Block's sentencing. 9 am
- June 4 - Daniel McGowan's sentencing. 9 am
- June 5 - Jonathan Paul's sentencing. 9 am

On December 7, 2005, federal and local law enforcement began the largest roundup of alleged environmental and animal liberation activists in American history. That day the **FBI** arrested six people in four different states and issued Grand Jury subpoenas to several others. Over the next few months, the number of arrests, indictments, and subpoenas would mount in what the government called "Operation Backfire". [Click here for our previous analysis]

On November 9, 2006, Daniel McGowan, Joyanna Zacher, Nathan Block and Jonathan Paul appeared in federal court to enter guilty pleas and accept responsibility for their roles in a series of environmentally motivated arsons in Oregon between 1997 and 2001. The actions were claimed anonymously on behalf of the Earth Liberation Front and Animal Liberation Front. All were facing what would amount to life in prison. Maintaining their integrity and commitment to revolutionary struggle, they did not agree to provide information or testify against anyone now or in the future. Daniel McGowan's plea agreement, which is apparently similar to the other three, has been posted online at his support website: www.supportdaniel.org. Zacher and Block each pled to one count of conspiracy, attempted arson, and two separate incidents of arson. McGowan pled to conspiracy and to two separate incidents of arson. The government is recommending they be sentenced to 96 months (eight years) in federal prison. Paul pled to one count of arson and one count of conspiracy. The government is recommending Paul be sentenced to 60 months (five years) in prison. All four defendants are expected to argue for a lesser sentence.

Prosecutors say that they will request that the court apply a "terrorism enhancement" that could add an additional 20 years to each defendants' sentence. According to defense lawyers, the "terrorism enhancement" can only be applied if the court finds that the defendants' actions were motivated by a desire

to change the policies of the U.S. government by means of coercion, but since the property damaged or destroyed by the defendants was owned by private corporations the prosecutors are not likely to get the "terrorism enhancement" according to some analysis. Court appearances are scheduled for this spring to decide sentences and the "terrorism enhancement."

> We strongly encourage support, both now and during their time in prison, for these four comrades. Donations can be made to Daniel's defense by going to: www.myspace.com/danielmcgowan. Check and money orders can be made out to "Lisa McGowan" and sent to: Lisa McGowan, PO Box 106, New York, NY 10156. To help Jonathon Paul, contact: friendsofjonathanpaul@yahoo.com. To donate to his legal defense, please write a check or money order out to Jonathan Paul and send to: Friends of Jonathan Paul, PMB 267, 2305 Ashland Street, Ste. C, Ashland, OR 97520. Joy and Nathan are still incarcerated awaiting sentencing. They can be written at: Joyanna Zacher #1662550, Lane County Jail, 101 W 5th Ave Eugene, OR 97401 and Nathan Block #1663667, Lane County Jail, 101 W 5th Ave Eugene, OR 97401. Donations can always be sent to Nathan and Joyanna's support fund: S.N.J. c/o Maureen Block, 881 Oak Hill Rd., Swanville, ME 04915, or contact: supportersofnathanandjoyanna@gmail.com

Six others, **Kendall Tankersley**, **Darren Thurston**, **Kevin Tubbs**, **Stanislas Meyerhoff**, **Chelsea Gerlach**, and **Suzanne Savole**, pled guilty this past summer to related charges in Oregon and Washington. All eight of those individuals agreed to become **snitches** and cooperate with the prosecution and implicate others in exchange for reduced sentences. The lawyers for those defendants have asked that the details of their plea agreements remain sealed in the interest of protecting their clients safety, but we hope for them to be opened so we can discover the depth of their treachery and who else may be involved. We obviously loathe these individuals' actions and do not support them in any way. It should also be noted that while the snitches' expected sentences vary, on average, they look to serve as much, if not more, time than those who maintained their composure. Another lesson to remember.

In October, two more government informants, **Jennifer Kolar**, 33, of Seattle, and **Lacey Phillabaum**, 31, of Spokane, pled guilty for their role in the \$7 million 2001 arson at the University of Washington, claimed in the name of the Earth Liberation Front. Kolar and Phillabaum each pled guilty to charges of conspiracy, arson, and use of a destructive device. Kolar also pled guilty to an attempted arson charge for a failed 1998 firebombing that damaged a Wray, Colorado, gun club that organized a multistate turkey shoot. Both joined the abhorrent ranks of their unindicted co-conspirator and fellow **informant**, **Jacob Ferguson**, and have been cooperating with the **FBI** since last winter. They agreed to wear concealed wire recording devices and attempt to help the government gather evidence on suspects and are bound by their plea deals to do so beyond their terms of incarceration. Kolar is anticipated to receive a sentence of five to seven years and Phillabaum will face a recommended sentence of three to five years. They will be expected to testify at the trial of Briana Waters, who is accused of participating in the UW arson, and possibly others. Kolar declined to make a statement, but did thank Assistant U.S. Attorney Andrew Friedman as he left the courtroom. Kolar worked for a variety of animal rights and environmental causes throughout the years, but for the past six years she has spent much of her time sailing and racing a yacht she co-owns. There is still apparently at least one unknown unindicted co-conspirator who has been assisting the prosecution with their case.

In some good news, on November 15, Jeff Hogg was released from a jail in Grants Pass, OR after being detained for nearly six months for refusing to testify before a grand jury investigating a series of ELF actions which occurred in Oregon between the mid-1990s and 2001. Jeff's lawyer, Paul Loney, informed the prosecution of his intent to file more motions to obtain his release. The prosecution then decided to release him rather than fight these motions. Hogg was jailed by the court last May in order to coerce him into testifying before a grand jury. According to the law he may be required to stay in jail a total of 18 months or until the term of the grand jury has expired but only if the court believes that to do so may coerce him into testifying. Hogg has missed his final exams and his grandfather's funeral while imprisoned. He testified under oath on August 15 that he will never testify at a grand jury proceeding. We greatly appreciate his strength during these troubling times. Despite the various guilty pleas in the Oregon case, we would like to remind everyone that this case is not over. There are still at least three defendants in this case whose locations are unknown to the **FBI**. Also, Briana Waters has formally pleaded not guilty to the University of Washington fire and is scheduled for trial in May. These charges carry a mandatory minimum sentence of 35 years in prison should she be convicted. For more info on Briana and how you can support her upcoming trial, check out: supportbriana.org. Make donations payable to Eric Waters (Briana's brother and

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The Green Scare and its Fallout in the Rogue

D. Qotsaisaw, 21.05.2007 11:17

Recently at a KS Wild fundraiser in the Applegate, two people were in attendance of dubious character. The two persons, Suzanne "India" Savoie and Luke Rudigger, are the widely known Federal Informants who have more than compromised their solidarity with former comrades Jonathan Paul and Daniel McGowan, as well as others in the region's activist community, which has lead to these person's current trials where they are facing, along with others, "terrorism enhancement" charges which would severely increase their sentences. This much is indisputable.

Why these two people were allowed to attend a meeting where other activists were in attendance, has become a contentious issue with many judgments and insults leveled at all involved. Given that KS Wild is an effective group that works hard and is quite successful in their endeavors, and I am glad to call some of them my friends, they are not immune from criticism in this issue. Allowing two known informants to remain in attendance for any reason at any function not only is a slap in the face to other activists and particularly those who are having their lives drastically changed at this moment as wells as their families, friends, and loved ones, it is a security risk for all others who attended as Luke and Suzanne have an ongoing status as life-long informants which makes their presence anywhere a continuous threat.

As Suzanne and Luke are now committed to a life of being obliged informants, they should be quite decisively and quickly dealt with at any function to let them know that what they did, which is deep and wide in scope, is unacceptable. Anyone, individually or as a group, who allows these people to remain at any sort of function not only greatly disrespects the comrades who face an unjust and corrupt system to decide their fate because of Luke and Suzanne, they are condoning such behavior with their simple complicity, and likewise should not be supported in any way.

I never would want that KS Wild lose their effectiveness, but if they think it is okay to sell out their local grassroots counterparts to retain some margin of benefit to their agenda and its fulfillment, then they lose all credibility. There are implicit tenants of solidarity, even among informal relationships within a community, which never should be allowed to be compromised period. If KS Wild could admit their grievous oversight and make sure it is never to be repeated, they may have room enough to regain local confidences

CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2007, I caused an exact copy of the attached Defendant's Sentencing Memorandum to be delivered to attorney for Plaintiff and attorneys for co-defendants, through electronic notification by electronically filing said memorandum and by personally emailing said memo to the attorneys for co-defendants:

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DATED: May 29, 2007.

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